

REMARKS/ARGUMENTS

Claims 23-37 are in the case as presented for reconsideration. Claims 1-22 have been withdrawn without prejudice subject to a restriction requirement.

The Examiner has required restriction to one of the following inventions under 35 USC §121:

- I. Claims 1-9, drawn to a method for calibration, classified in class 702, subclass 94.
- II. Claims 10-13, drawn to a method of localization of a sensor placed within a patient, classified in class 600, subclass 423.
- III. Claims 14-22, drawn to an apparatus to assist in calibrating a sensor, classified in class 702, subclass 57.
- IV. Claims 23-37, drawn to a sensor configured to be placed inside a patient, classified in class 600, subclass 424.

Accordingly Applicant elects invention IV (claims 23-37 drawn to a sensor configured to be placed inside a patient). Claims 23-37 read on this elected invention.

Accordingly, favorable action is respectfully requested.

Respectfully submitted,

By: /Louis J. Capezzuto/
Louis J. Capezzuto
Reg. No. 37,107
Attorney for Applicants

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-2218
Dated: January 9, 2007
Customer No. 000027777

Serial No. 10/633,299
BIO-5023